

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA
Title III
No. 17 BK 3283-LTS
(Jointly Administered)

**NOTICE OF CORRESPONDENCE REGARDING THE NINETY-FIFTH OMNIBUS
OBJECTION (NON-SUBSTANTIVE) OF THE COMMONWEALTH OF PUERTO
RICO, PUERTO RICO HIGHWAYS AND TRANSPORTATION AUTHORITY, AND
EMPLOYEES RETIREMENT SYSTEM OF THE GOVERNMENT OF THE
COMMONWEALTH OF PUERTO RICO TO INDIVIDUAL PROOFS OF CLAIM NOS.
161854, 44934, AND 161279.**

To the Honorable United States District Judge Laura Taylor Swain:

1. On October 24, 2019, the Commonwealth of Puerto Rico (the “Commonwealth”), the Puerto Rico Highways and Transportation Authority (“HTA”), and the Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”), by and through the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as the sole

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283- LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Title III representative of the Commonwealth, HTA and ERS (collectively, the “Debtors”) pursuant to Section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),² filed the *Ninety-Fifth Omnibus Objection of the Commonwealth of Puerto Rico, Puerto Rico Highways and Transportation Authority, and Employees Retirement System of the Government of the Commonwealth of Puerto Rico to Deficient Claims* (the ‘Ninety-Fifth Omnibus Objection’) to various proofs of claim.

2. The Ninety-Fifth Omnibus Objection seeks to disallow certain deficient claims (the “Deficient Claims”) which purport to be based on obligations owed by the Commonwealth, HTA, or ERS, but which failed to provide any information identifying the nature or source of the obligations or explaining why the Commonwealth, HTA, ERS, or any other Title III Debtor are liable to the claimant.

3. The Debtors have received the attached correspondence from: (a) Ines Rodríguez Crus (“Rodríguez Cruz”), a copy of which is attached hereto as Exhibit “A”, (the “Rodríguez Cruz Response”), regarding Proof of Claim No. 161854 (the “Rodríguez Cruz Claim”); (b) Carmen D. Sanchez Maltes (“Sanchez Maltes”), a copy of which is attached hereto as Exhibit “B” (the “Sanchez Maltes Response”), regarding Proof of Claim No. 44934 (the “Sanchez Maltes Claim”), and (c) Neveida Troche Vargas (“Troche Vargas”), a copy of which is attached hereto as Exhibit “C” (the “Troche Vargas Response,” and together with the Rodríguez Cruz Response and the Sanchez Maltes Response, the “Responses”), regarding Proof of Claim No. 161279, (the “Troche Vargas Claim,” and together with the Rodríguez Cruz Claim and the Sanchez Maltes Claim, the “Claims”). Certified translations of the Rodríguez Cruz Response and the Sanchez Maltes Response are attached hereto as Exhibits “A-1” and “B-1”, respectively.

² PROMESA is codified at 48 U.S.C. §§ 2101-2241.

4. The Rodríguez Cruz Response consists of a handwritten note including Rodríguez Cruz's contact information, as well as a request for copies of a motion filed on September 16 to be sent to Rodríguez Cruz. The Rodríguez Cruz Response does not, however, contain any information necessary to evaluate the Rodríguez Cruz Claim, such as an explanation of the basis for any liabilities owed to Rodríguez Cruz. Accordingly, the Debtors have determined that the Rodríguez Cruz Response still does not provide sufficient information to enable the Debtors to reconcile the Rodríguez Cruz Claim.

5. The Sanchez Maltes Response contains a copy of a partially-completed Mailing,³ which, as set forth in the Ninety-Fifth Omnibus Objection, was mailed to claimants whose claims did not provide information needed to understand what liabilities the Commonwealth, HTA, ERS, or any other Title III debtor might owe. The Sanchez Maltes Response purports to assert liabilities arising from pending litigation. However, the Sanchez Maltes Response does not identify any pending litigation which might give rise to liabilities owed to Sanchez Maltes. Instead, it identifies the case number of the Commonwealth's Title III case. Accordingly, the Debtors have determined that the Sanchez Maltes Response still does not provide sufficient information to enable the Debtors to reconcile the Sanchez Maltes Claim.

6. The Troche Vargas Response consists of a handwritten note that includes contact information for Troche Vargas, the filing date and claim number of the Troche Vargas Claim, and the statement "Prime Clerk Received Your Proof of Claim." However, the Troche Vargas Response does not contain any information necessary to evaluate the Troche Vargas Claim, such as an explanation of the basis for any liabilities owed to Troche Vargas. Accordingly, the Debtors

³ Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Ninety-Fifth Omnibus Objection.

have determined that the Troche Vargas Response still does not provide sufficient information to enable the Debtors to reconcile the Troche Vargas Claim.

7. Accordingly, the Debtors respectfully request that the Court grant the Ninety-Fifth Omnibus Objection and disallow the Claims, notwithstanding the Mailings.

Dated: November 11, 2020
San Juan, Puerto Rico

Respectfully submitted,

/s/ Hermann D. Bauer

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